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C O N F I D E N T I A L SECTION 01 OF 04 MASERU 000081

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CLASSIFIED BY: June Carter Perry, Ambassador, EXEC , STATE.
REASON: 1.4 (b), (d)

Summary

¶1. (C) In reviewing the outcome to date, Ambassador has met with counterparts in the diplomatic corps, heads of observer missions, and primary opposition leader Thabane to further analyze the implications of Lesotho's February 17 elections. The major observer groups and the Independent Electoral Commission (IEC) have specifically thanked the United States (U.S.), the Irish, the United Nations (UN) and the European Union (EU) for their supportive roles to the people and the government of Lesotho throughout this very important election. There has been agreement amongst the international community and the observer missions that despite a number of glitches (e.g. mangled voting cards), the elections proceeded in a peaceful, overall free, fair and transparent manner. The Ambassador personally visited a number of urban and rural sites and spoke with presiding officers of the IEC at those sites and in some cases with voters and observer teams from France and the local council of non-government organizations. I also met February 19 with the United Kingdom High Commissioner to South Africa, former British Parliamentarian Paul Boateng to discuss the U.K.'s views of the process.

¶2. (C) The international development partners (U.S., EU, SA, Ireland, UNDP, China and IEC) have agreed that we will meet with the heads of each political party, the seemingly apparent winner, the current ruling Lesotho Congress for Democracy, with former Minister Thabane, head of the newly formed All Basotho Convention (ABC), General Lehkanya, head of the long-time Basotho Nationalist Party (BNP), as well as the smaller remaining parties this week and next. Although some discrepancies allegedly exist in both the rural and urban districts, Thomas Thabane made a point of speaking with us privately on February 19 and in the Chiefs of Mission group on February 20. He restated his determination to have the country move forward; specifically, Thabane said to me that he would not undertake any challenge regarding registration voters list or outcome of the electoral process accept on the floor of Parliament and through the courts. As the new leader of the opposition and as a highly respected political expert, one anticipates that his voice will be heard and his message well received. We consider that the IEC continues to have some internal difficulties although we applaud their overall

organization of 20,000 workers across the difficult terrain of the Mountain Kingdom and the polling stations therein. In terms of U.S. interest, although six ministers appear to have lost their seats, the most important programs the U.S. has undertaken such as the President's Emergency Plan for AIDS Relief (PEPFAR) and the Millennium Challenge Account (MCA) will be able to continue their progress with the key technical teams already in place within the Government of Lesotho (GOL). The democratic process appears to have made a significant step forward in these national elections, although the final, final count will not be endorsed by auditors until late February 20 or possibly February 21. The exercise of going through this process in a shortened process (90 days for the IEC) has in itself demonstrated, we believe, the capacity of the Basotho people to further institutionalize democracy. End Summary.

Meeting the Leaders

13. (C) Following the February 17 polling, development partners agreed that it would be useful for us in a spirit of equity to meet not only with political parties that have requested exchange with us, but to meet with the leaders of each of the major parties; among these, we would include the Lesotho Congress for Democracy (LCD), the All Basotho Convention (ABC), the Basotho Nationalist Party (BNP) and the Workers Party (called the ACP and LWP Alliance), to demonstrate our support for their role in the democratic process and to continue to urge their use of the judiciary process to lodge any complaints or outstanding issues following the peaceful elections. The Ambassador has also maintained close contact with the resident Heads of Mission in Maseru as well as interacted with the United Kingdom High Commissioner to Pretoria, the German Deputy Council, also from Pretoria, as well as Austrian and French delegations from their South African missions. The meetings with the resident diplomatic corps have taken place on a near daily basis for the past several weeks as indicated in ref (C). Our observers in the stations that we visited and our observer

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teams, with the U.S. team being the largest to include 40 Mission observers as well as the National Democratic Institute (NDI) in partnership with the Lesotho Council of NGOs totaling about 350 observers. All worked in a collaborative fashion and reported similar assessments of the fairness of the process while noting discrepancies (see septel). The heads of the diplomatic missions discussed February 19 throughout the day and evening, the potential areas of dispute where the ruling LCD has declared themselves the winner, but heard their might be discrepancies in the District of Leribe where the Minister of Forestry has claimed victory for the ruling party. We note that at this point, six ministers of the ruling party have been defeated in their district. These include the Ministers of Tourism, Health, Agriculture (and the Assistant Minister of Agriculture), Natural Resources, Mines and Water, and Public Works. The Ambassador had been told during a February 15 meeting with the Minister of Foreign Affairs (ref D) that there would definitely be a cabinet reshuffle based on his party's presumptive winning of these elections. Therefore, we had expected there to be some major changes in any event. The ministers who lost their seats had come under criticism for either their lack of presence in the country or ineffective management, particularly in the areas of agriculture and health.

The loss of the Natural Resource Minister is not regarded as a major loss by the donors involved in that sector, nor in the health sector since the interaction at the technical level with ministry officials has already been solidified. We observed that the use of car listed by government officials which resulted in scandals in the press, although dismissed by Executive Party Leader of Information, the Foreign Minister, may have, in fact, had a negative affect on a number of these ministers. We and others have had questions about the effectiveness of the Minister of Agriculture's management of his organization.

14. (C) Despite recommendations by the donor community that some aspects of his organization needed serious review. The point is, however, we believe that the Cabinet changes will likely not be announced immediately. We anticipate that the National Assembly will resume within the next 10 to 14 days with new members in place. We had pressed hard with the current government as well as the opposition parties, the members of the elections themselves, and that the outcome of the elections be conducted in a peaceful manner. We noticed that many of the youths who made up a large portions of the constituency of the ABC party did not appear to turn out to vote. The ABC leader, Mr. Thabane, told donors on February 20 that he believes large numbers of the registration forms of young people were not counted by the IEC,, however, he pledged not to raise this in any sort of public demonstration or outcry, but to work within the legislature to institute a fully functioning IEC and seek any adjudication of this matter through the courts. I finally asserted that at this junction of Lesotho's history, it was most important that Lesotho consolidate discrepancies and move forward to advance the country's development.

The UK is Absent But Interested

15. (C) Concerning the observers and diplomatic corps from Pretoria, we held a bilateral discussion with United Kingdom High Commissioner Paul Boateng. Since the British closing of their High Commission here in 2005, to the dismay of the GOL, Mr. Boateng has had responsibility for covering both South Africa and Lesotho. He wanted to know our initial impressions on February 18 on how the process had unfolded and our assessment of various parties chances. We indicated that based on the information we had to date with much ground remaining to be completed, the LCD, according to the IEC, was in the lead, but that the ABC would likely form a strong opposition party. His observation during his one day trip to Lesotho was consistent with ours in terms of the process having taken place in a peaceful manner based on input he had received from Great Britain's development team and upon his own meetings with political parties and diplomatic corps members. Boateng was quite interested in our analysis of how exchange on the development front would affect the proposed MCA proceedings. I told him that the due diligence team were hard at work with Lesotho's own core team, that we perceived strengthening of capacity in the areas of consideration to be developed to include business, health and policy information development, to be moving forward. Boateng complimented the U.S. on its active role in communicating their collaboration with partner organizations from other countries including his own as well as with the GOL. He did not forecast any additional assistance from the British government in Lesotho, but stated that they had deep interest in the SADC region and that stability and development in Lesotho are, of course, of great interest in terms of their relationship with South Africa. Our interaction

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with the French and other European teams was most fleeting and, in fact, we were able to have more in-depth conversations with Electoral Institute of South Africa (EISA) lead by former President Masire of Botswana, the SADC PF funded by USAID, the African Union and the Commonwealth.

International Observers' Views and Challenges

16. (C) During the February 18 SADC briefing which followed a private meeting between the Ambassador and Tanzania's Minister of Labor Chiligadi, and also significant international media presence in addition to the press, Lesotho's Speaker of the House, ABC Leader Thabane, members of other observer groups and other governments and diplomatic corps were present, comprising an audience of approximately 200 plus. During this session, the Ambassador raised the question of whether or not members of the SADC team would remain on the ground during the post electoral

process to help support the process and to help ensure security for Lesotho especially since the county is serving as the organization's current chair. Although the Chairman responded that their primary duty was to observe from February 15 through February 17, the Deputy Chair Justice Tendwa, also from Tanzania, advised us that indeed core members of their team would remain on the ground for those very reasons. The SADC group felt that it was important, according to SADC Observer Deputy Chair Justice Tendwa, that the region remain stable in order that they could both interact effectively amongst themselves as well as with the development partners.

17. (C) The Chiefs of Mission resident in Maseru had a very frank conversation February 20 with ABC Leader Thabane and anticipated a meeting with Prime Minister or Deputy Prime Minister of the LCD this week. As noted, former Minister Thabane had some questions about the registration of his young leaders. Those of us in the diplomatic corps were concerned about the presence of the Minister of Agriculture who bused in numerous voters into the Berea district claiming that they had transferred into that district. This led to some verbal confrontation February 17, but was eventually resolved by the presiding officer at the polling stations and the party agents present at that station. We also observed the Deputy Prime Minister shaking hands with voters outside the polling station of his constituency and the actual entrance to a polling station by the Minister of Foreign Affairs, the Assistant Minister of Agriculture was observed by members of our team and others at the polling stations. The electoral laws in Lesotho and the code of conduct prohibit campaign from February 14-17 and the posting of banners or posters of the various parties. However, the presence of a minister, per se, was not prohibited and remains a question, however, subtle of intimidation of voters with the appearance of ministers or assistant ministers and we have received reports that the Foreign Minister distributed blankets and computers on the night of February 16 to voters in his constituency. In our discussions with the NDI observer team, it came out that NDI viewed these incursions as well as violations of the spirit of the law if not the letter of the law. Nevertheless, we in the diplomatic community believe this issue will likely be raised in the National Assembly by various opposition parties.

18. (C) Disputes over the count of the votes in remote areas are pending, but do not threaten, as far as we can tell the actual acceptance of the final results. ABC leader Thabane pointed out that the country must move forward and he claims he will reiterate this to all members of the opposition. As noted, the development partners will be hearing in the next several days from other party leaders about their acceptance of these results. In Lesotho's troubled electoral past, it has been the acceptance issue that has created public reaction and displays of violence. We emphasized at this point that there seems to be a growing need for discussion and debate as well as the need to deal with issues on the table such as economic development, addressing the HIV/AIDS pandemic and civil service reform as issues that will determine Lesotho's ability to improve its standing in the region and in the international community.

Comment

19. (C) We found our group discussion with Thabane to be revealing also in terms of the role of Libya. Thabane claims that the Libyan Ambassador who was "PNG"ed in 2006 "was angry with him for breaking away from the LCD and forming the ABC." Thabane denied that Libya had provided him funds as we had repeatedly had reports that he and his wife had both benefited from the Libyan largesse. On the other hand, the LCD had criticized him at one time for the role of the Libyan Ambassador

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in the attempted assassination of the Foreign Minister and the party had charged the Libyan with underwriting the ABC in an effort to defeat the LCD. In spite of these contradictions, the

Libyan Embassy remains in Maseru, although a new head of Mission has not arrived.

¶10. (C) Lesotho, a small nation of just under 2 million people, remains a kingdom of intrigue as demonstrated by the points made above. Its role, however, in the region, is an important one for us in that it has been, despite pressure from the European Union and South Africa, a signatory to our Article 98 Agreement; a receptive partner to the PEPFAR and MCC initiatives; and although desperately poor, Lesotho has lent its voice in the international fora to the fight against terrorism, as well as cooperating with the U.S. on issues such as money laundering. In our view, the country has demonstrated a willingness, if not a fully developed capacity, at this point to move forward in a way that will benefit its own population and influence its SADC and AU fellow members.

PERRY